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Melissa Stagner

Name

Melissa Stagner

Signature

October 13, 2005

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Egilmez

Examiner: Brandon J. Fetterolf

Filed: December 30, 2003

Art Unit: 1642

Serial No. 10/748,003

Title: A Method for Inhibiting the Growth of Gastrointestinal Tract Tumors

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction imposed by the Examiner in the Office Communication dated September 29, 2005, Applicants respectfully request reconsideration. The Examiner acknowledges that the active steps are the same in groups I and II, but indicates that the method of inhibiting the growth of gastrointestinal tract tumors is different from the method of preventing the development of gastrointestinal tract tumors because they use divergent materials. Applicants assert that simply because the intended recipients are different, it cannot be held that the materials used are divergent. Because the active steps are the same, the materials used are not divergent. Applicants therefore, respectfully request the Examiner to rejoin Groups I and II.

As required under 37 CFR 1.143, Applicants herewith provisionally elect Group I (claims 1-11).

This response is being filed within one month of the Office Communication and therefore it is believed that no fee is due. If that is incorrect, any fee due may be charged to Deposit Account no. 08-2442.

Respectfully submitted,

By:


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Dated: October 13, 2005